

IN THE DISTRICT COURT OF GUAM
TERRITORY OF GUAM
MAGISTRATE CRIMINAL MINUTES

FILED
DISTRICT COURT OF GUAM
MAY 11 2005

CASE NO. MG-05-00014

DATE: 05/11/2005

TIME: 11:06 a.m.
MARY E. MORAN
CLERK OF COURT

HON. JOAQUIN V. E. MANIBUSAN, JR., Magistrate Judge, Presiding
Court Recorder: Jamie Phelps
Hearing Electronically Recorded: 11:06:52 - 11:24:30

Law Clerk: Judith Hattori
Courtroom Deputy: Virginia T. Kilgore
CSO: D. Quinata / N. Edrosa

***** APPEARANCES *****

DEFT: JAMES KIRACHKY

ATTY: KIM SAVO

(X) PRESENT () CUSTODY (X) BOND () P.R.

(X) PRESENT () RETAINED (X) FPD () CJA APPOINTED

U.S. ATTORNEY: THOMAS SHELDON

AGENT:

U.S. PROBATION: JOHN SAN NICOLAS

U.S. MARSHAL: S. LUJAN

***** PROCEEDINGS: CHANGE OF PLEA *****

- () COMPLAINT READ TO DEFENDANT
() FINANCIAL AFFIDAVIT REVIEWED AND ACCEPTED: _____, ATTORNEY APPOINTED
(X) DEFENDANT SWORN AND EXAMINED: AGE: 33 HIGH SCHOOL COMPLETED: 8th Grade
(X) DEFENDANT ARRAIGNED AND ADVISED OF HIS RIGHTS, CHARGES AND PENALTIES
() REMOVAL/IDENTITY HEARING () CONDUCTED () WAIVED () SET FOR: _____ at _____
() WARRANT OF REMOVAL ISSUED
() GOV'T SUMMARIZES THE EVIDENCE () GOV'T SUBMITS TO THE PLEA AGREEMENT
(X) COURT QUESTIONS DEFENDANT REGARDING HIS PHYSICAL AND MENTAL CONDITION, AND ADVISES DEFENDANT OF THE NATURE AND POSSIBLE CONSEQUENCES OF SAID PLEA
() DEFENDANT WAIVES READING OF () COMPLAINT () INFORMATION () INDICTMENT
(X) PLEA ENTERED: (X) GUILTY TO: COUNT I (Theft of Government Property) and COUNT II (Entering Military Property)
() COUNT(S) _____ DISMISSED ON GOVERNMENT'S MOTION
() PLEA AGREEMENT FILED: NO WRITTEN PLEA PLEA: (X) ACCEPTED () REJECTED
() COURT ORDERS PLEA AGREEMENT SEALED
() COURT REJECTS PLEA AGREEMENT AND REFERS IT TO: _____ FOR RECOMMENDATION.
(X) SENTENCING DATE: AUGUST 10, 2005 at 10:30 A.M. () STATUS HEARING: _____ at _____
(X) PRESENTENCE REPORT ORDERED AND DUE: JULY 6, 2005
() PRELIMINARY EXAMINATION SET FOR: _____
() ARRAIGNMENT SET FOR: _____ at _____
() TRIAL SET FOR: _____

- PROCEEDINGS CONTINUED TO: _____ at _____
() DEFENDANT TO BE RELEASED ON BOND (see release conditions on page 2)
() DEFENDANT REMANDED TO THE CUSTODY OF THE U.S. MARSHAL SERVICE FOR () PROCESSING () DETENTION
() DETENTION HEARING REQUESTED BY GOV'T DEFT IS SET FOR: _____ at _____
(X) DEFENDANT RELEASED ON BAIL AS PREVIOUSLY ORDERED BY THIS COURT

NOTES:

Defendant consented to have his case heard by a U.S. Magistrate Judge. Defendant entered his plea of guilty without a written plea agreement.

USPD
ACKNOWLEDGED RECEIPT
By: [Signature]
Date: 5.11.05